

AMENDED

APPLICATION FOR PERMIT

Serial No. 12070

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office NOV 5 1947
Returned to applicant for correction
Corrected application filed DEC 30 1947

The undersigned W. W. BIRDZELL
Name of applicant
of Wells, County of Elko

State of Nevada, hereby make S application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Open Pit
Name of stream, lake, or other source
(Underground)

2. The amount of water applied for is 2 second-feet.
One second-foot equals 40 miners' inches

3. The water to be used for Irrigation and domestic use
Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:
The approximate center of the water in the open pit is N. 70° 43'
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
W. 3357.0 feet from the sec. cor. to Secs. 10, 11, 14, and 15 in
T. 37 N., R. 62 E., M.D.M. SE 1/4 SW 1/4 Section 10.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is (See remarks)
- (b) Description of land to be irrigated N 1/2 SW 1/4, SE 1/4 SW 1/4 Sec. 10, T. 37 N., R. 62 E., M.D.M.
Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Use will begin about Apr. 15 and end about Oct. 15, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Place of use _____
Give location of place of use by legal subdivision
- (f) Point of return of water to stream _____
Describe in same manner as point of diversion
- (g) State number and kinds of animals to be watered _____
- (h) Use will begin about _____ and end about _____, of each year.
Month Month
- (i) Remarks _____

DESCRIPTION OF PROPOSED WORKS

Water is to be pumped from Little Angel Pit and distributed by means of a pipe line and open ditches.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works \$1000.00

6. Estimated time required to construct works 2 years

U. S. Highway No. 40 is now under contract for reconstruction and this construction crosses the N 1/2 SW 1/4 of Sec. 10

7. Remarks part of the land proposed to be irrigated. U.S. Highway No. 93 crosses the SE 1/4 SW 1/4 of Sec. 10 part of the land proposed to be irrigated. The intersection of these two highways will be on applicant's land. Until this reconstruction work is completed, rights of way determined and drainage structures installed the exact acreage to be irrigated cannot be definitely determined.

W. W. Birdzell, Applicant.

By

Compared [Signature]

This sheet inspected _____, Engineer.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. A substantial weir or other type of measuring device must be installed and maintained to facilitate the measurement of water. The irrigation season is to be from April 15 to October 15 of each year. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0

cubic feet per second, and not to exceed a duty of four acre feet per acre per season.

Actual construction work shall begin on or before October 12, 1948

Proof of commencement of work shall be filed before November 12, 1948

Work must be prosecuted with reasonable diligence and be completed on or before October 12, 1950

Proof of completion of work shall be filed before November 12, 1950

Application of water to beneficial use shall be made on or before

October 12, 1951. Proof of the application of water to beneficial

use must be filed with State Engineer on or before November 12, 1951

Map Filed DEC 18 1947

Proof of commencement of work filed SEP 21 1948

Proof of Completion of work filed OCT 15 1951

PROOF OF BENEFICIAL USE FILED OCT 15 1951

WITNESS MY HAND AND SEAL this 13th day

of April, 1948

Certificate No. 37,641 issued Feb 11, 1951 for 0.0750 cfs

Received Feb 11, 1951 Bk 4

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ALFRED MERRITT SMITH

ELKO

County Engineer

Water Rights

By

State Engineer

HUGH A. SHAMBERGER ASST. STATE ENGINEER